

the Rose Bowl and the Big Ten Conference. Coach Alvarez has made the University of Wisconsin into a perennial Big Ten Championship contender. The abilities, both on and off the field, of players led by Coach Alvarez, many of whom have been All-Americans and have gone on to play in the NFL, serve as a testament to the standard of excellence that he established at the University of Wisconsin's football program.

It is with great sadness that I acknowledge Coach Alvarez's retirement from his duties as head coach at the close of this season. However, Barry Alvarez will now be dedicating his full attention to being Athletic Director at the University of Wisconsin. There is no doubt that Coach Alvarez will continue to bring the same determination and commitment he has brought to all of the University of Wisconsin's athletic programs as he continues his role of Athletic Director. It is fitting that in Coach Alvarez's final year as football coach, the team excelled beyond what some had predicted and will take on Auburn in the Capital One Bowl, on January 2, 2006. While at the close of this season he may no longer be Coach of the University of Wisconsin's football team, his legacy of dedication, hard work, and excellence at the University of Wisconsin is far from being complete. Thanks Coach, Job Well Done.

#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2005*

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber today. I would like the record to show that, had I been present, I would have voted "yea" on rollcall vote 618.

#### PROVIDING FOR CONSIDERATION OF H.R. 4340, UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

SPEECH OF

### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Mr. ACKERMAN. Mr. Speaker, I am proud to represent an area that borders the Long Island Sound. The Sound is one of our Nation's natural treasures, providing important environmental, recreational, and commercial benefits to its surrounding regions. Not only is the Sound the natural habitat for one of the most diverse ecosystems in the Northeast, but it also provides enjoyment for the millions of residents and vacationers who swim and boat in the Sound every year. Moreover, commerce relating to the Long Island Sound generates more than \$5 billion in the regional economy each year.

Preservation of the Long Island Sound is not a parochial issue, but a national one. The Sound is a charter member in the National Estuaries Program, and has been designated as one of only 28 estuaries of national significance. Unfortunately, the effects of having more than 8 million people living within its wa-

tershed have caught up with the Sound, as untreated sewage and other types of pollution have harmed the water quality and caused a dramatic drop in the Sound's fish and wildlife populations.

With the passage of the Long Island Sound Restoration Act in 2000, which authorized \$200 million for cleaning up the Long Island Sound over the past 5 years, we have seen improvements in the quality of the water in the Sound. However, our work is not complete. We must continue to build on this progress and provide more assistance in cleaning up the Sound. I am confident that the funds authorized in this bill will have a significant impact on the ongoing efforts to improve the quality of the Long Island Sound. We must do everything possible to ensure the continued funding of these efforts, and this legislation is the appropriate means for achieving the desired end.

#### IN RECOGNITION OF DR. ALICIA ZIZZO

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2005*

Mrs. MALONEY. Mr. Speaker, I rise to recognize the extraordinary achievements of an important member of the New York community, Dr. Alicia Zizzo.

Critics have described Dr. Zizzo as one of America's most important classical musicians, both for her skills as a pianist and her research on George Gershwin's body of work, celebrated and forgotten. Her pianistic artistry has brought her international acclaim and has been recognized on four continents.

Dr. Zizzo's musicological scholarship is focused on the research and restoration of the classical piano literature of George Gershwin. She has been able to enhance what was a remarkably small classical piano solo repertoire by working with the Library of Congress, Warner Brothers Publications, the Gershwin estate and other scholars.

Dr. Zizzo succeeded in researching, transcribing and inevitably recreating Gershwin's lost and forgotten classical solo piano manuscripts notated in his own hand. She approaches these manuscripts not with the objective of making yet another arrangement of his melodies as so many musicians have already done, but rather to literally reconstruct from fragments, sketches and partially completed scores that had been long neglected.

Critics have lauded her for the discovery of transitional scores which bring new life to classic Gershwin material. For example, the New York Times, Washington Post and many other widely recognized publications throughout the United States and the world have hailed Dr. Zizzo for her groundbreaking musicological analysis of the original manuscripts of Gershwin's famous Rhapsody in Blue. Dr. Zizzo was able to restore approximately 80 measures, mostly solos, that were deleted during editing—not done by Gershwin himself—for publication.

Dr. Zizzo has also been praised for unearthing material never known to exist. Her landmark, best selling CDs feature lost Gershwin classics like Seven Preludes, Blue Monday, Lullaby, Sleepless Night and other previously

unpublished scores. She also created a brand new manuscript edition of Rhapsody in Blue and a piano solo suite on the background orchestral scores of the movie Shall We Dance (1937). Also published is a piano solo transcription of the symphonic work I Got Rhythm Variations.

In 1998, during the Library of Congress's four day celebration of the Gershwin Centennial, Dr. Zizzo was the only concert pianist invited to present a full recital and lecture. Later that year, she was recognized by Hofstra University with an Honorary Doctorate degree for her important contributions to American music.

Mr. Speaker, I request that my distinguished colleagues rise and pay tribute to a great New Yorker, Dr. Alicia Zizzo, for her accomplishments. Her many successes have brought to light music scores by our greatest American composer, George Gershwin, important scores that we may continue to enjoy for generations to come.

#### HONORING THE LAKE HIGHLANDS HIGH SCHOOL PARENT TEACHERS ASSOCIATION

### HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2005*

Mr. HENSARLING. Mr. Speaker, I would like to honor Lake Highlands High School's Parent Teachers Association (PTA) for achieving the Parent Involvement Schools of Excellence certification from the National Parent Teachers Association in 2005.

Lake Highlands High School (LHHS) is the only school in the Dallas-Fort Worth area to achieve certification from the National PTA and only one of three recipients in the State of Texas. The award is based on excellence in six areas: communication between school and parents, promotion of parenting skills, parent assistance in student learning, recruitment and support of parent volunteers, school decision making and advocacy, and collaborating with the community.

Today, I would like to recognize the LHHS Parent Involvement in Schools Excellence certification committee, including chairwoman, Liz Luthans, Bonnie Blackman, Bob Iden, Sharin Clark, and Jenny Wagner. I would also like to recognize parents Paula Davis, Beth Hanks, Tami Trostel and Lake Highlands Exchange Club representative Jerry Allen who also served on the committee.

As the Congressman for the Fifth Congressional District of Texas, I am very proud to represent Lake Highlands High School. Lake Highlands High School's PTA is truly helping to shape a brighter future for our community and our country. I would like to offer my congratulations on this occasion and best wishes for their continued success.

#### IN MEMORY OF JAMES CASHMAN, JR.

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 8, 2005*

Mr. PORTER. Mr. Speaker, I would like to express my condolences to the family and

friends of James Cashman, Jr. Anyone living in the Las Vegas valley knows of the contributions that James gave not only to the community, but also to his family and friends. He was a native of Las Vegas and a member of a family traditionally dedicated to the development of Southern Nevada and to service to the people of the area.

Born February 19, 1926, James served as a gunnery instructor in the Army Air Corps during World War II, after which he entered the business of his father. In 1945 he married the former Mary Carmichael, who survives him. He was appointed General Manager of Cashman Cadillac and became co-owner of Cashman GMC Truck in 1958. In 1962 he assumed the Presidency of Cashman Enterprises.

James Cashman, Jr. became a true leader of the community and was very active in community service, including the Junior Chamber of Commerce, the Greater Las Vegas Chamber of Commerce, Nevada Development Foundation, University of Nevada Land Foundation and United Way of Clark County. He was also a member of the Southern Nevada Drug Abuse Council; the Boys & Girls Club of Las Vegas, Executive Board; Boulder Dam Area Council, Boy Scouts of America; the Las Vegas Elks Lodge, and the Las Vegas Rotary Club.

James received many commendations and awards over the years, some of which include being named the Las Vegas Junior Chamber's Outstanding Young Man of 1955. In 1969, he was named chairman of the United Fund Drive. In 1974, Cashman became president of the United Way of Clark County.

I would like to express my sincere sympathy to the family and friends of James Cashman, Jr. As we move forward in our lives, may we never forget his achievements and contributions. He was a wonderful person, a good friend of mine, and someone I always looked up to. This is a great loss for the state and people of Nevada. He will be greatly missed by all of us.

## RECOGNIZING THE ANNIVERSARY OF THE 13TH AMENDMENT

SPEECH OF

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 7, 2005*

Ms. LEE. Mr. Speaker, I would like to add for the record the support of the gentleman from Louisiana, Mr. MELANCON, the gentleman from Illinois, Mr. JACKSON, and the gentleman from New York, Mr. BISHOP of H. Res. 196.

I submit the opening statements from the Congressional Globe 1865 House debate on floor consideration of S.J. Res. 16, the proposition to amend the Constitution of the United States by abolishing slavery.

And I also include the House vote on final passage of what would become the 13th Amendment to our Constitution.

### ABOLITION OF SLAVERY

The SPEAKER stated the question in order to be the consideration of the motion to reconsider the vote by which the House, on the 14th of last June, rejected Senate joint resolution No. 16, submitting to the Legislatures of the several States a proposition to amend

the Constitution of the United States; and that the gentleman from Ohio [Mr. ASHLEY] was entitled to the floor.

Mr. ASHLEY. I yield to the gentleman from Pennsylvania [Mr. McALLISTER] to have read a brief statement.

Mr. McALLISTER sent to the Clerk's desk and had read the following: "When this subject was before this House on a former occasion I voted against the measure. I have been in favor of exhausting all means of conciliation to restore the Union as our fathers made it. I am for the whole Union, and utterly opposed to secession or dissolution in any shape. The result of all the peace missions, and especially that of Mr. Blair has satisfied me that nothing short of the recognition of their independence will satisfy the southern confederacy. It must therefore be destroyed; and in voting for the present measure I cast my vote against the cornerstone of the southern confederacy, and declare eternal war against the enemies of my country."

[Applause from the Republican side of the House.]

Mr. ASHLEY. I now yield to the gentleman from Pennsylvania, [Mr. COFFROTH].

Mr. COFFROTH. Mr. Speaker, I speak not today for or against slavery. I am content that this much-agitated question shall be adjudicated at the proper time by the people. It is my purpose to state in all candor the reasons which prompt me to give the vote I shall soon record.

The amending of our Constitution is fraught with so much importance to the American people that before it is accomplished the amendments proposed should be scrutinized with the strictest criticism. No frivolous, vague, or uncertain experiment should be for a moment tolerated. The life and existence of this nation is centered in the observance and faithful execution of the powers conferred by the Constitution upon the servants of the people.

The joint resolution before us proposes: "That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

"ART. XIII, SEC. 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation."

The first inquiry is, has Congress this power? I turn to the Constitution, and find article fifth provides—"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

It is not claimed that Congress itself can engraft this amendment into the Constitution without being ratified by three fourths of the States. Then, sir, under the Constitution, Congress has no power beyond discriminating what shall or ought to be submitted to the people. The members of this House assume no responsibility, they enact no amendment, but as faithful Representatives they submit to the people, the source from whence their power comes, the proposed

amendment. "Governments are instituted among men, deriving their just power from the consent of the governed." All political power is invested in the people. At their will constitutions can be remodeled and laws repealed.

The amending of our Constitution is no new experiment. Already at three different times amendments have been submitted to the Legislatures, and by them adopted. The first amendment was ratified in 1791, the second in 1798, and the third in 1804. It never was intended by the wise men who adopted the Constitution that it should remain unchanged. The growth of the nation, its progress and its advancement, will, as time passes, demand new articles and additional provisions. The people are the guardians of the Constitution, and I am not convinced that any danger is to be anticipated, as presented in the following illustrations of the gentleman from Ohio, [Mr. PENDLETON,] put with such admirable compactness and scholastic force:

1. "I assert that there is another limitation, stronger even than the letter of the Constitution, and that is to be found in its intent and spirit and its foundation idea. I put the question which has been put before in this debate, can three fourths of the States constitutionally change this Government, and make it an autocracy? It is not prohibited by the Constitution."

2. "Can three fourths of the States make an amendment to the Constitution of the United States which shall prohibit the State of Ohio from having two Houses in its Legislative Assembly? It is not prohibited in the Constitution."

3. "Sir, can three fourths of the States provide an amendment to the Constitution by which one fourth should bear all the taxes of this Government? It is not prohibited."

4. "Can three fourths of the States, by an amendment to the Constitution, subvert the State governments of one fourth and divide their territory among the rest? It is not forbidden."

5. "Can three fourths of the States so amend the Constitution of the States as to make the northern States of this Union slaveholding States?"

I do not think there is any power in the Constitution which would permit three fourths of the States to change the form of government. The Constitution provides for a republican form of government, and to establish an autocracy would not be amending the Constitution, but utterly destroying it, and establishing upon its ruins a new form of government of self-derived power.

I would not give one of the new copper two-cent piece for the insertion into the Constitution of explicit prohibitions against every other supposition brought forward by the gentleman from Ohio, [Mr. PENDLETON,]

"Long before three fourths of the States can become so debauched and demoralized that they would practice such monstrous injustice, they must have lost the sense of honor that would be bound by a compact, and the fear of God that would keep an oath. When these virtues have died out, no matter what safeguards a written constitution might contain, they would be of no more value than so much waste paper. There are certain things which can never be attempted so long as there is public virtue enough not to evade, explain away, or openly violate the Constitution. It is for this reason so little limitation was put upon the amending power.

"The actual limitations on that power operated against natural equity, and hence the necessity for their insertion. One of them restrained Congress from putting an end to the slave trade prior to 1808, and the practical effect of the other is to give New England,